

Application No.: 09/381,996
Amendment Dated: January 4, 2006
Reply to Office Action: October 5, 2005

MTS-V03175US

Remarks/Arguments:

Claims 4-28, 30-45, 47-49, 53-57, 59 and 63-68 stand rejected.

Claims 1, 3, 66 and 67 have been cancelled.

Section 112 Rejections

Claims 66 and 67, which have been objected-to, have now been cancelled.

Section 103 Rejections

Claim 39 has been rejected as being obvious in view of Tsukamoto and Kori. Applicants respectfully submit that this rejection is overcome for the reasons set forth below.

Amended claim 39 now includes features which are not obvious in view of the cited references, namely:

- storing means for storing the key-encrypting key and for **deleting only the key-encrypting key** hereafter if the key-encrypting key satisfies a predetermined condition,
- the predetermined condition is satisfied if the key-encrypting key was stored on a previous date that is less than a specific number of days from a current date, or if a number of reproductions of the digital data is less than a specific number of reproductions ...

As admitted by the Office Action, Tsukamoto does **not** teach key-encrypting means for generating a key-encrypting key and subjecting the contents key to second encrypting.

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Kori discloses, according to the Examiner, that **when the contents are deleted, the encrypting key is also inevitably deleted**. Kori, therefore, does not disclose **only deleting the key-encrypting key if a certain predetermined condition is satisfied**. This predetermined condition is satisfied, as explicitly recited in claim 39, if the key-encrypting key was stored on a date which is less than a specific number of days from a current date. These features are not disclosed by Kori.

Applicants emphasize that in claim 39, after the key-encrypting key is erased, the content is left as encrypted. The content itself changes its status from being readable to being encrypted. **The content, however, is never erased or deleted**. Consequently, even if the key-encrypting key is deleted, the user may still view the same content again by purchasing a corresponding key again. Kori, on the other hand, discloses that when the contents are deleted, the encrypting key is also inevitably deleted.

The Office Action at page 38, paragraph 19, notes that Kori discloses when the contents are deleted, the encrypting key is also inevitably deleted. Since the claim limitation did not recite **only deleting** the key-encrypting key, if a certain precondition is satisfied, the Examiner is required to provide evidence to reject this limitation. Applicants respectfully submit that claim 39 has now been amended to recite that **only the key-encrypting key is hereafter deleted, if the key-encrypting key satisfies a predetermined condition**. Favorable reconsideration is requested for amended claim 39.

Although not the same, claim 4 has been amended to include features similar to amended claim 39. More specifically, claim 4 has now been amended to include the following features:

- **only the encrypted contents key is deleted**, if the encrypted contents key satisfies a predetermined condition.

Claim 4, therefore, is not subject to rejection in view of the cited references for the same reasons set forth for claim 39. Favorable reconsideration is requested for amended claim 4.

Although not the same, claim 53 has now been amended to include features similar to amended claim 39. Claim 53, therefore, is not subject to rejection in view of the cited references for the same reasons set forth for claim 39. Favorable reconsideration is requested for amended claim 53.

Dependent claims 5-28 and 30-38 depend from amended claim 4. Dependent claims 40-45 and 47-49 depend from amended claim 39. Dependent claims 54-57, 59, and 63-65 depend from amended claim 53. These dependent claims are, therefore, not subject to rejection in view of the cited references for at least the same reasons set forth amended claim 39.

Although not the same, claim 68 has been amended to include features similar to amended claim 39, namely:

- storing means for storing the key-encrypting key and for **deleting only the key-encrypting key hereafter if the key-encrypting key satisfies a predetermined condition ...**

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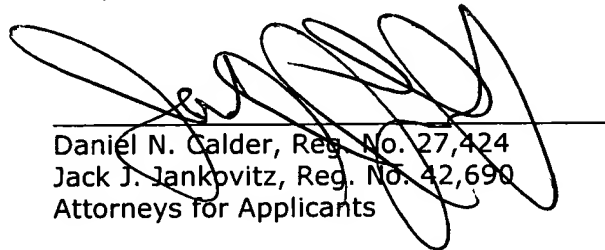
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Claim 68 is, therefore, not subject to rejection in view of the cited references for the same reasons set forth for amended claim 39.

Conclusion

Claims 4-28, 30-45, 47-49, 53-57, 59, 63-65 and 68 are now in condition for allowance.

Respectfully submitted,



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